

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: By Chairman Dennis Himmelberger, on January 14,
2009 at 8:00 A.M., in Room 455 Capitol.

ROLL CALL

Members Present:

Rep. Dennis Himmelberger, Chairman (R)
Rep. Russell Bean (R)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Mary Caferro (D)
Rep. Pat Ingraham (R)
Rep. Gary MacLaren (R)
Rep. Sue Malek (D)
Rep. Mike Phillips (D)
Rep. Kendall Van Dyk (D)
Rep. Ted Washburn (R)
Rep. Franke Wilmer (D)

Members Excused: Rep. Jesse O'Hara, Vice Chairman (R)
Rep. Dee Brown (R)
Rep. Gordon R. Hendrick (R)

Members Absent: Rep. Sue Dickenson, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Betsy Hands (D)

Staff Present: Sheri Heffelfinger, Legislative Branch
Marshall McEwen, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 17, HB 18, HB 31, HB 117
Executive Action: None

00:03:00 Rep. O'Hara, Rep. Belcourt, Rep. Hands and Rep. Brown entered the room

HEARING ON HB 17

Opening Statement by Sponsor:

00:03:46 Rep. Ken Peterson (R), HD 46, opened the hearing on **HB 17**, Revise requirements for administrative rules.

00:04:40 Rep. Dickenson entered the room

Proponents' Testimony: None

Opponents' Testimony:

00:05:56 Mark Cadwallader, Staff Attorney, Montana Department of Labor and Industry

EXHIBIT(sth08a01)

00:14:04 Cort Jensen, Chief Attorney, Department of Agriculture

00:18:33 Candace West, Chief Counsel, Department of Natural Resources and Conservation

00:25:21 Curtis Larsen, Staff Attorney, Montana State Fund

00:26:10 Christina Goe, Chief Legal Counsel, State Auditors Office

00:27:23 Anne Brodsky, Legal Counsel to the Governor

00:27:42 Rep. Hendrick entered the room

Informational Testimony: None

Questions from Committee Members and Responses:

00:31:23 Rep. Van Dyk

00:32:21 Rep. Peterson

00:33:22 Rep. Van Dyk

00:33:55 Rep. Peterson

00:34:31 Rep. Van Dyk

00:34:46 Rep. Peterson

00:35:13 Rep. Phillips

00:35:55 Rep. Peterson

00:36:18 Rep. Phillips

00:36:21 Rep. Washburn

00:36:49 Ms. Goe

00:37:25 Rep. Washburn

00:37:32 Ms. Goe

00:37:56 Chairman Himmelberger

00:38:14 Rep. Brown

00:39:13 Mr. Cadwallader

00:41:36 Rep. Brown

00:42:26 Mr. Cadwallader

00:43:02 Rep. Brown
00:43:31 Mr. Cadwallader
00:43:40 Rep. Wilmer
00:44:18 Rep. Peterson
00:44:42 Rep. Wilmer
00:45:21 Mr. Cadwallader
00:46:23 Rep. Wilmer
00:46:43 Mr. Cadwallader
00:47:25 Rep. MacLaren
00:47:59 Mr. Jensen
00:48:04 Rep. MacLaren
00:48:24 Chairman Himmelberger

Closing by Sponsor:

00:48:31 Rep. Peterson
00:51:50 Chairman Himmelberger

HEARING ON HB 117

Opening Statement by Sponsor:

00:52:00 Rep. Ken Peterson (R), HD 46, opened the hearing on **HB 117**, Revise procedure for review of administrative rules.

Proponents' Testimony: None

Opponents' Testimony:

00:54:24 Cort Jensen, Chief Attorney for Department of Agriculture
00:57:47 Hal Harper, Governor's Office
01:02:43 Mark Cadwallader, Staff Attorney, Montana Department of Labor and Industry

EXHIBIT(sth08a02)

01:06:13 Curtis Larsen, Staff Attorney, Montana State Fund
01:06:39 Candace West, Chief Counsel, Department of Natural Resources and Conservation
01:08:24 Christina Goe, Chief Legal Counsel, State Auditors Office

Informational Testimony:

01:09:38 Melanie Symons, Attorney, Montana Public Employees' Retirement Administration

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:10:42 Rep. Peterson
01:13:05 Chairman Himmelberger
01:13:13 Committee takes a break
01:24:55 Committee called back to order by Chairman Himmelberger

HEARING ON HB 31

Opening Statement by Sponsor:

01:25:54 Rep. Franke Wilmer (D), Hd 64, opened the hearing on **HB 31**, Include dispatchers in sheriffs' retirement system.

Proponents' Testimony:

01:28:41 Susan Bomstead, Missoula 911 and President of Montana Chapter of the Association of Public Safety Communication Officials International

EXHIBIT (sth08a03)

01:39:36 Sheriff David Castle, Montana Sheriff and Peace Officers Association
01:40:08 Kimberly Burdick, National Executive Council Representative for MSPOA and Chouteau County Sheriffs Office
01:42:56 Jodie Butler, Chouteau County Resident
01:44:00 Colonel Mike Tooley, Chief of Montana Highway Patrol
01:45:19 Forrest Merrill, Missoula County 911
01:48:53 Tom Schneider, Montana Public Employees' Association
01:50:26 Pam Bucy, Montana Chiefs of Police Association and Montana Police Protective Association
01:51:11 Jacob Boltz, Communication Center Manager for Montana Highway Patrol
01:52:49 Jason Miller, Teamsters
01:53:12 Robert Johnson, AFL-CIO
01:53:30 Tim Twardoski, Self
01:54:38 Doug Neil, Montana State Fireman Association
01:55:51 Mark Denke, Sanders County Sheriffs Office and Sanders County 911
01:56:39 Curt Bushnell, Fire Captain at Bozeman Fire and President of Montana State Firemens' Association
01:58:12 Jason Ledford, Cascade County 911
01:59:11 Ben Hess, Director of Gallatin County Communications
02:00:51 Nicole Maher, Gallatin County 911
02:01:55 Tami Neumann, Gallatin County 911
02:03:43 Cathy McGowan, APCO
02:04:40 Roxanne Minnehan, Executive Director, Public Employee Retirement Administration

Opponents' Testimony:

02:10:26 David Ewer, Budget Director for Governor Schweitzer

Informational Testimony: None

Questions from Committee Members and Responses:

02:18:50 Rep. Malek
02:19:32 Chairman Himmelberger
02:19:40 Rep. Malek
02:19:55 Chairman Himmelberger
02:20:06 Rep. Ingraham
02:20:52 Ms. Minnehan
02:21:10 Rep. Ingraham
02:22:19 Mr. Schneider
02:22:46 Rep. Caferro
02:23:27 Ms. Bomstead
02:24:21 Rep. Caferro
02:25:33 Mr. Schneider
02:25:53 Rep. Caferro
02:26:02 Mr. Schneider
02:26:07 Rep. Caferro
02:27:53 Ms. Neuman
02:29:58 Rep. Caferro
02:30:33 Mr. Schneider
02:30:57 Rep. Dickenson
02:31:49 Mr. Schneider
02:32:52 Rep. Brown
02:33:12 Mr. Schneider
02:34:36 Rep. Brown
02:34:52 Mr. Schneider
02:35:27 Rep. Brown
02:35:38 Colonel Tooley
02:35:46 Chairman Himmelberger
02:35:57 Rep. Boniek
02:36:28 Mr. Ewer
02:37:02 Rep. Boniek
02:37:22 Mr. Ewer
02:37:46 Rep. Phillips
02:38:32 Mr. Ewer
02:40:11 Rep. Malek
02:41:18 Mr. Ewer
02:43:07 Rep. Hands
02:44:30 Rep. Wilmer
02:45:47 Rep. Hands
02:46:32 Ms. Bomstead
02:47:03 Rep. Hands
02:47:25 Ms. Bomstead

Closing by Sponsor:

02:48:58 Rep. Wilmer
02:52:36 Chairman Himmelberger
02:52:57 Committee takes a short break
03:01:23 Committee called back to order by Chairman Himmelberger

HEARING ON HB 18

Opening Statement by Sponsor:

03:01:53 Rep. Pat Ingraham (R), HD 13, opened the hearing on **HB 18**, Mail ballot pilot project.

Proponents' Testimony:

03:10:41 John MacDonald, City of Missoula
03:11:31 Dwayne Winslow, Election Administrator in Yellowstone County
03:17:00 Ed Bartlett, Lobbyist for Yellowstone County
03:17:32 Vickie Zeier, Missoula County Clerk and Recorder Treasurer
03:19:53 Drew Geiger, Montana League of Women Voters
03:20:44 Sheryl Wood, Associate Director for the Montana Association of Counties

EXHIBIT(sth08a04)

03:24:18 Linda Stoll, Missoula County and Montana Association of Clerks and Recorders
03:25:57 Charlotte Mills, Clerk and Recorder from Gallatin County

Opponents' Testimony:

03:27:26 Jeanne Marie Souvigney, Montana Conservation Voters

EXHIBIT(sth08a05)

03:32:42 Rep. Van Dyk exited the room.

03:34:13 Kate Cholewa, Common Cause

EXHIBIT(sth08a06)

03:38:45 Tony Belcourt, Representative of HD 32 and American Indian Caucus

EXHIBIT(sth08a07)

03:40:21 Matthew Singer, Forward Montana

03:43:24 Beth Brenneman, Disability Rights Montana

EXHIBIT(sth08a08)

03:48:36 Alysha Jannotta, Montana Women Vote

03:48:55 Claudia Clifford, AARP Montana

03:49:20 Julia Page, Northern Plains Research Council

Informational Testimony:

03:49:40 Jennifer Cole, Governor's Office

Questions from Committee Members and Responses:

03:51:47 Rep. Washburn
03:52:33 Rep. Ingraham
03:52:34 Rep. Washburn
03:52:38 Rep. Caferro
03:53:01 Ms. Cholewa
03:54:13 Rep. Phillips exited the room
03:54:25 Rep. Dickenson
03:54:51 Ms. Souvigney
03:56:27 Rep. Dickenson
03:57:00 Rep. Ingraham
03:57:08 Rep. Dickenson
03:57:15 Rep. Ingraham
03:58:12 Rep. Malek
03:58:36 Rep. Ingraham
03:59:19 Rep. Malek
03:59:48 Rep. Ingraham
03:59:55 Rep. Hands
04:01:12 Ms. Zeier
04:03:00 Rep. Washburn exited the room

Closing by Sponsor:

04:04:51 Rep. Ingraham
04:11:09 Chairman Himmelberger

Additional Exhibit:

Dale Bickell, Chief Administrative Officer, Missoula Board of
County Commissioners

EXHIBIT(sth08a09)

ADJOURNMENT

04:11:14 Adjournment

MARSHALL MCEWEN, Secretary

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Additional Documents:

EXHIBIT ([sth08aad.pdf](#))